

PRESIDENT NOTIFIES AUSTRIA THAT AMBASSADOR DUMBA IS PERSONA NON GRATA

CLANCY ARRIVES TO HANDLE CASE AGAINST PORTER FOR THE STATE

Attorney General Now on the Ground and in Charge of Prosecution of Man Charged With Murder of Connell.

FIRST WITNESS STILL ON STAND AT RECESS

Surveyor Whose Maps and Plats Are Basis for Vital Contention Sustains Cross-examination Lasting Hours.

(SPECIAL DISPATCH TO MORNING JOURNAL)

Lawyer, N. M. Sept. 9.—The famous Porter murder case, wherein James L. Porter is charged with the killing of Ralph Connell at Tularosa, Otero county, a year ago last June, was on in earnest today. Attorney General Clancy reached Las Cruces late yesterday afternoon and when court was convened this morning was present to take charge of the case. Mrs. Ralph Connell was in court today for a short time during the trial, accompanied by her two young daughters, the elder of whom, Florence, will be used as a witness. Mrs. W. J. Connell, mother of Ralph Connell, also was in attendance.

The state's witness set forth three, eight names; the defense had twenty-eight, and had announced it might use still others.

Witnesses Barred From Court

The rule was invoked against all witnesses except that, by agreement, Mrs. Porter, Mrs. Ralph Connell, J. R. McGhee, court reporter of the Fifth district, the surveyor, the photographer, and the character witnesses, will be allowed to remain in the court room.

Water Right Suit Involved

When directed by the court to continue his statement to the fact in the case, he declared he expected to prove that the killing of Connell grew out of bitterness engendered by a water suit, saying that Porter and Connell were on opposite sides of the suit.

William P. Steen, a surveyor of El Paso, was the first witness put on the stand.

He made the survey of the Tularosa river three miles north of the house in front of which Connell was killed by a single shot. The results of the survey were incorporated in two plats which showed the topography of the grounds, the location of the residence and other buildings, the road and a part of the surrounding country. The plats were made by authority of a court order and under the direction of Attorney General Clancy.

On Stand All Day

It is something of a coincidence that the only two cases tried in the New Mexico courts under state's motion for a change of venue have been transferred from Otero to Dona Ana. The first case upon which the New Mexico supreme court ruled upon this principle was the state of New Mexico versus H. S. Holloway, former cashier

THE WEATHER

FORECAST

Washington, Sept. 9.—New Mexico, Friday and Saturday generally fair, but much change in temperature.

LOCAL WEATHER REPORT

For the twenty-four hours ending at 6 p. m. yesterday: Maximum temperature, 88 degrees; minimum temperature, 44; range, 44. Temperature at 6 p. m. yesterday, 79. Southeast wind, clear.

of the defendant state bank at Tularosa, charging embezzlement. The supreme court affirmed the work of the trial court at Las Cruces, where the conviction was had. It was held that the state is entitled to a change of venue, but added that the privilege is one which the trial courts should not arbitrarily. H. B. Holt, who is assigned for the defense in the Porter case, asked the prosecution in the Tularosa case.

PEACE RESTORED IN COLORED CONVENTION

(BY MORNING JOURNAL SPECIAL LEADER WIRE)

Chicago, Sept. 9.—Peace was restored among the ranks of the delegates of the negro national league convention tonight after a day of turmoil which resulted in the necessity of a police guard and the issuance of an injunction against the Rev. E. C. Morris, of Nashville, Mo., president of the convention, seeking to restrain him from taking any part in the proceedings.

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"On August 19, a German submarine stopped the English steamer Arabic about sixteen miles south of Kinross and was on the point of sinking the prize ship after the crew and all the vessel. At this moment the commander saw a large steamer making directly toward him. This steamer was developed later as the Arabic, which was recognized as an enemy vessel, as she did not stop and bore no neutral markings.

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Declines to Admit Right of America to Demand Indemnity but Suggests Reference to The Hague Tribunal.

TEUTON COMMANDER FEARED BEING RAMMED

Claims to Have Been Fired on Without Provocation by a British Merchant Vessel in Irish Sea.

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CROWN PRINCE MAKES FURIOUS DRIVE AGAINST FRENCH LINES

Several Trenches Are Broken and Germans Gain More Than Mile, Capturing Machine Guns and Prisoners.

LITTLE FIGHTING IS REPORTED IN RUSSIA

Czar Gains Important Successes and Slavs Are Making Strong Offensive in Southern War Zone.

(BY MORNING JOURNAL SPECIAL LEADER WIRE)

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Admitted Purpose to Organize Strikes in America Causes Action

EMPLOYMENT OF AMERICAN CITIZEN TO TAKE MESSAGE THROUGH GREAT BRITAIN IS ALSO GRAVE OFFENSE

LETTERS TAKEN BY POLICE FROM ARCHIBALD DISCLOSE MOST DANGEROUS INTRIGUE

Secretary Lansing Cables Ambassador Penfield at Vienna That Present Representative of Emperor Francis Joseph Is No Longer Acceptable at Washington and That He Must Be Recalled Because of Acts Against the Best Interests of the Government; Story of Offenses Is Outlined for Presentation to Imperial Authorities and Note Declares There Is Only the Friendliest Feeling Toward the Nation Whose Envoy Has Abused the Privileges of His Position by His Efforts to Injure the Lawful Domestic Industries of This Country and by Misuse of an American Passport.

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